



COME INTO THE SUN:

Findings & Recommendations on the Needs of Women and Girls in the Justice System

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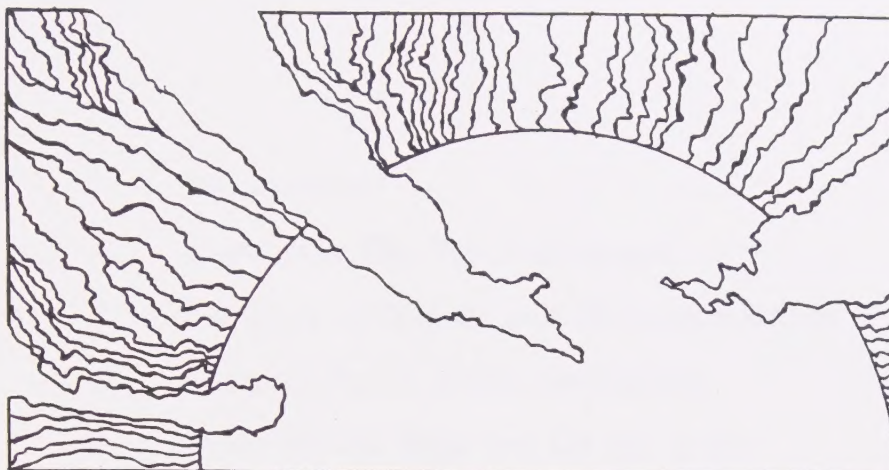
**Delinquency Prevention Commission
Commission on the Status of Women**





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March, 1992

**Delinquency Prevention Commission
Commission on the Status of Women**

Written by the members of the Come Into the Sun Coalition.

**Special thanks to the following members of the
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COME INTO THE SUN: Incarcerated Women and Girls

BACKGROUND

The Come Into the Sun Coalition (CITSC) represents the joint commitment of nearly forty public departments, private non-profit service providers, community advocates, and system users. The goal is to improve the lives of women and girls who find themselves in conflict with the law.

The CITSCs primary purpose is to reduce the number of women and girls who use the justice system, to enhance possibilities for those who do find themselves recipients of services and to call attention to the disparity in services available for females in a system driven by the needs of the predominantly male population.

The issues which concern CITSC range from the development of recreational programs, health services, and educational support systems for girls and women to ensure that the fewest numbers of females find themselves in custody. CITSC sees a need to establish a network of services on the inside for girls and women so that upon release they will have the vocational and emotional skills necessary to stay outside.

Now in our second year of work, the CITS Coalition is currently focusing its overall attention on beginning implementation of the recommendations found in this report through the development of an action agenda and a conference focusing specifically on the needs of girls.

COME INTO THE SUN: AGENCY PARTICIPANTS (partial list)

Commission on the Status of Women
Delinquency Prevention Commission
Department of Public Health: Forensics
Special Programs for Youth: DPH
Adult Probation
Juvenile Probation
Department of Social Services
Office of the Public Defender
San Francisco Sheriff's Office
Elizabeth Fry Center
Legal Services for Prisoners with Children
Y.W.C.A.
Mayor's Gang Prevention Program
Coleman Advocates for Children and Youth
Center on Juvenile and Criminal Justice
Housing Authority
S.F. AIDS Foundation
Gay/Lesbian Youth Advocates
Mayor's Office of Public Safety
Queen's Bench
S.F. CASA: Court Appointed Special Attorneys
City-Wide Alcohol Advisory Board
Larkin Street Youth Center
Center for Special Problems
Real Alternatives Program
Girls Leadership Project
Women's Building
Huckleberry House
Horizons Unlimited
Florence Crittenton Services
Youth Awareness Program
Women's Institute for Mental Health
General Hospital: Psychiatric Dept.
Bay View Hunters Point Foundation
Friends Outside
Northern California Service League
Balboa Teen Clinic

SUMMARY OF REPORT & RECOMMENDATIONS

When we look at the population of girls and women in custody, we are looking at one of the most invisible segments of society. Women's needs are unexamined, untreated, and invalidated by both the system charged with serving them and by their own community and family support structures.

Women comprise the fastest growing segment of the prison and jail population in the country. Women are being committed at a rate at least double that of males. However, prison services remain focused on the needs of the predominantly male population. The development of a network of prevention and intervention services which is specific to females. The network should address the particular problems and issues which bring women and girls into the criminal justice system.

Women enter the system for different reasons than men. In California, 35.5% of women prisoners were convicted for property crimes (such as credit card fraud or theft), 34.2% for drug related offenses and 27.1% for violent offenses¹. An American Correctional Association survey found that women reported committing crimes to: pay for drugs, to relieve economic pressures, or because of poor judgement. In a 1989 study of 159 adult female prisoners, it was found that two-thirds had first been arrested as juveniles for status offenses, acts which would not be illegal for an adult². Clearly, our current methods of intervention are not preventing girls from being drawn deeper into the system.

The profile of women in conflict with the law is a profile of poverty, racism and neglect. Poverty is perhaps the greatest single factor in destroying a person's will, hope and belief in a future. This most dehumanizing of conditions, when coupled with societally approved racism and sexism results in fatalism, dependency and rage, all of which make behaviors outside of society's norms seem acceptable, inevitable and powerful.

The same needs which lead girls into the system, keep them in the system as a woman. These needs fall into the following categories of: education; health and mental health care;

¹ CA Blue Ribbon Commission Report, 1990

² Warren and Rosenbaum

and consistent family/community support systems. There can be no argument that early preventive services for girls will have a long-term impact on the lives of the women they will become, just as there can be no argument that failure to address these needs at onset result in incalculable human cost.

COMPREHENSIVE RECOMMENDATIONS

While some issues concern only adult women prisoners and others affect only girls, there are a few overriding issues which thread their way through the system as a whole. By developing a comprehensive service plan to address these primary issues, many young women will be prevented from ever entering the system and we will be able to offer appropriate services to all women once they are involved in the criminal justice system.

ACCESS TO RESOURCES

Problem Statement: Girls and women who find themselves in conflict with the law often do not have access to or knowledge of community-based and/or public programs which can provide them with the assistance they desperately need.

Recommendation: Develop a resource guide for use by women prisoners and a guide geared to the needs of girls. These resource directories would serve the following purposes:

Assist in release planning for incarcerated women by providing a resource listing of community programs offering services such as: childcare, emergency housing, clothing and food, counseling and legal aid.

Assist girls through providing a directory of girl specific community programs ranging from recreation to pregnancy concerns.

Recommendation: Develop mentor programs.

In the adult system, volunteer criminal justice professionals would be assigned to a new prisoner at the time of sentencing and would walk women through the system as well as assist in release planning.

In the juvenile system, a mentoring network might include community service providers who would work with criminal justice professionals to ensure that a girl's rights are protected and that a support system is in place upon release.

HEALTHCARE

Problem Statement: Incarcerated women and girls do not routinely pursue healthcare prior to their arrest and are frequently involved in high risk behavior from IV drug use, prostitution, and/or relationships which include violence. A recent survey by Forensic Services in the San Francisco County Jails found that the majority of women use the jail system as their primary healthcare provider followed by the emergency room at San Francisco General Hospital.

Recommendation: Provide a full spectrum of health services to women and girls and link them with specific community providers upon release. Care must include a complete physical with gynecological examination, and blood work-up, (including HIV testing as appropriate).

EDUCATION

Problem Statement: There is a wide variation in statistics on the educational background of women in prisons. The lowest figures of GED completion hover around 33% while other figures are well above 50%. The most common reasons for quitting school seem to be boredom and pregnancy. Limited educational backgrounds reduce the woman's employment options and is indicative of poor self-esteem, a factor which often leads to delinquent behavior.

Recommendation: Provide on-site one-on-one tutoring programs for women and girls which will provide them with an opportunity to learn without having to admit their prior failures or limitations to peers.

Establish a program for educational support on the outside in collaboration with the recommended mentoring programs.

FAMILY BONDS/COMMUNITY SUPPORT SYSTEMS

Problem Statement: 70% of women in prison are mothers with dependent children; 60% received public assistance. Sixty-two percent of incarcerated girls reported suffering physical abuse, most before the age of 15³. Society reserves a special kind of criticism for these women and offers no consistent support or forgiveness. In a prison system designed for the predominantly male population the problems of females are not addressed. A service system must be developed that specifically and comprehensively provides mental health services for women and girls while inside and which offers a support network which will enable them to endure the criticism and hardships they face upon reentry.

Recommendation: Develop discharge and aftercare programs which link women with their community providers, healthcare information and support services for the entire family. A discharge/aftercare system should emphasize mental and physical healthcare issues. These services should be coordinated with criminal justice agencies who could provide training related to the specific needs of post - incarcerated women and girls to community providers.

COORDINATED PLANNING

Problem Statement: In general, City agencies are not attuned to the special needs of incarcerated girls and women, nor are they in contact with each other regarding specific cases or policies. This reduces the efficiency of the services which they provide. Women and girls who have been incarcerated must cope with many internal issues alone; making the logistics of survival easier and less punitive is the least that service providers must do on the behalf of women and girls.

Recommendation: Develop a comprehensive committee of professionals to deal with the survival needs not only of women who have just been released but also of

³ American Correctional Association 1990

girls and women who are showing signs that they are at high-risk for recidivism. As an example this committee should include representatives from the Department of Social Services, Adult or Juvenile Probation, San Francisco Unified School District or Community College District, Community Mental Health Services, Housing Authority, and Substance Abuse Services, and others as appropriate.

The specific focus of this committee would involve assisting women/girls in addressing their basic needs. This might include registering for school, finding emergency housing, or placement in appropriate alcohol or drug rehabilitation programs.

- The committee would assist in the development of City departmental policies which are women and girl specific.
- Development of a network of multi-service centers which will enable a woman/girl to receive services at one location.
- Provide funding for a staff position to oversee the implementation of the recommendations made by the Come Into the Sun Coalition.

PEER SUPPORT

Problem Statement Many of the girls and women who are incarcerated do not have a positive peer group from which to gain support allowing them to take power and learn to take and give criticism without anger.

Recommendation: The development of peer support groups at all phases of service delivery from prevention programs for girls still in school (such as San Francisco Peer Counselors) and OMEGA-like programs for girls, to on-going peer groups for women who are spending much of their lives inside and away from traditional family support.

GIRLS: On the Edge and On the Inside

BACKGROUND

The needs of girls on the edge of or in the juvenile justice system are regularly neglected by the very correctional institutions mandated to address them. These institutions fail to develop a diversity of placement options for girls, to encourage and contract with community-based programs targeting the needs of girls, even to collect information on who the girls are, what they need, and what works to meet such needs. This neglect has occurred historically and continues today, nationwide. As a recent report on young women in the juvenile justice system found:

“juvenile justice officials and child advocates in virtually every state acknowledge that there are few, if any, meaningful community-based programs for troubled and delinquent girls. Needs and issues confronting young females continue to be neglected by policymakers and juvenile justice professionals who, instead, address public concern about violent juvenile crime....The result of this neglect is tragic and costly.” (Center for the Study of Youth Policy, 1991, p.1)

This neglect is regularly justified on the grounds that girls account for only a small fraction of juvenile arrests and commit few violent crimes. What this justification ignores is that, while fewer in number and less violent than their male counterparts, the girls who do enter the juvenile justice system become extensive “users” of the system. Once detained at San Francisco’s juvenile hall, for example, girls return there repeatedly -- eight, twelve, eighteen times. A recent tally of girls present at juvenile hall revealed a fourteen year old who was there for the eleventh time. This “revolving door” involvement with the correctional system often does not end magically when a girl turns eighteen, but rather continues on into adult probation, multiple jail sentences, even prison terms. Nor does repeated involvement in the correctional system end with the girl herself. On the contrary, the repeated incarcerations of these girls adversely impacts both younger siblings and the children most of the girls will eventually bear and, most likely, attempt to raise as single mothers.

This “revolving door” is the direct result of the neglect of the needs of young female offenders. By failing to develop or contract with a diversity of placements and programs targeting the needs of girls, the correctional system is compelled to overutilize secure

placements. According to the Center for the Study of Youth Policy: “Girls are being inappropriately institutionalized largely because community-based alternatives are unavailable” (p.2). What this means in San Francisco is that girls are returned to juvenile hall when a less secure placement would be appropriate if it were available, or sent out of state when the facilities at juvenile hall are deemed inappropriate. This situation is itself clearly inappropriate.

The lack of a diversity of placements and programs has a further unacceptable effect: Faced with inadequate alternatives, girls may seek, by failing placements or through other misbehavior, to return to juvenile hall. In an irony noted by many counselors, the lack of alternatives for girls means that juvenile hall becomes the place offering the most services and familiar faces under one roof. In juvenile hall, girls get a level of attention and care, including health care, which is not made available to them on the outside; there they have counselors and programs, volunteer groups come on many evenings to share various activities and discussions. The girls' responsibilities are diminished, while the attention and care they receive is increased. In an unconcerned and uncertain world, the very familiarity of juvenile hall makes it something of a haven. Rather than learning how to make it on the outside, girls learn to rely on the services and people available to them when they are locked up.

NATIONAL PROFILE OF INCARCERATED GIRLS

An American Correctional Association study (1987) found that 50% of female juvenile offenders are girls of color, 83.5% are between 14 and 17 years old, and 90% have never been married. ACA's study also found the following characteristics and life experiences common among female juvenile offenders:

- ***Children:*** Nationwide, 84% of incarcerated girls have no children. Of those who do have children, 70% do not have legal custody of their children.
- ***Education:*** 78% of the girls had neither completed high school nor obtained a GED. 12% had not gone beyond elementary school. Twenty-nine percent had attended a vocational or technical school. The most frequently cited reasons for not finishing school were boredom or “tired”.

- **Employment:** 57% of the girls had worked in the service industry before being incarcerated.
- **Home & Family Life:** 64% had other family members who had been incarcerated. Almost 81% of these girls had run away from home, with over 50% reporting that they had run away from home six or more times. Many girls (44.8%) reported feeling little or no love and/or acceptance while growing up.
- **Mental Health:** Approximately 54% reported that they had attempted suicide.
- **Physical or Sexual Abuse:** 62% indicated that they had been the victim of some form of physical abuse. In over 90% of the cases, the abuse began before the girl reached 15 years of age. Fifty-four percent reported being the victim of sexual abuse and 88% of those girls stated that the first incident of sexual abuse occurred before the age of 15.
- **Purpose of Committing Crime:** The reasons cited suggest girls break laws in response to perceived or real pressures from peers or from the need for money or attention. 16.7% of the girls claimed “poor judgment” as the reason they ended up incarcerated. 12.2% cited peer pressure; 9.4% economic pressures; 8.9% said they committed a crime to pay for drugs; 8.3% said they committed a crime to get attention.
- **Substance Abuse:** More than 50% of the girls reported that they took drugs (34.4%) or drank alcohol (11.4%) to make them feel better emotionally. The most widely used substances were alcohol and marijuana. 50% stated that they used alcohol regularly and 64% stated that they used marijuana regularly. Approximately 66% stated that they had first used drugs between the ages of 12 and 15.

NOTE: While national statistics allow us to develop a general picture of female juvenile delinquency, we cannot know the particular characteristics of the girls involved in San Francisco's juvenile justice system without collecting comprehensive data about this population. Until we know the particulars of who these girls are, we will be unable to effectively address female juvenile delinquency in our community. Also, the same can be said for the adult women incarcerated in San Francisco County Jails.

SAN FRANCISCO COUNTY STATISTICS

Who are the girls and young women who enter or return to San Francisco's juvenile justice system each year? What experiences lead them into the system? Which young women, and how many, find an enduring path out of it? The fact is, no one in San Francisco really knows. Comprehensive statistics and other data on the girls and young women entering the juvenile justice system are not kept or disseminated or analyzed. Most of the very partial information provided by the Juvenile Probation Department is not broken down by gender, leaving girls invisible, while very important information, such as data on recidivism among both girls and boys, while kept, is not made available. This lack of information about female juvenile delinquency in San Francisco seriously undermines our ability, as a community, to develop and implement meaningful programs for the girls in or on the edge of the juvenile justice system.

We do know that, in San Francisco as elsewhere in the country, girls are arrested for proportionally fewer felonies than are boys. In San Francisco in 1990, only 29.6% of the girls arrested were charged with felonies, compared with 56.1% of the boys. The three most frequent felonies committed by girls were motor vehicle theft (25%), narcotics (25%), and robbery (15%). By contrast, motor vehicle theft accounted for 33% of the felonies committed by boys, while narcotics accounted for only 16% and robbery 11.5%. Girls committed more than half of all petty thefts, with petty theft accounting as well for 52.2% of the misdemeanors committed by girls. Girls were twice as likely as boys to runaway, with runaways constituting 28% of female status offenders and only 14% of male status offenders. 39% of female status offenders were deemed incorrigible, compared with 32.7% of male status offenders.

According to the Juvenile Probation Department's Annual Report for 1990:

- girls were responsible for 1020 law violations, which was 17.3% of total law violations by juveniles.
- girls had 448 detention referrals (14.3% of total).
- 191 girls were on voluntary or informal probation (15.8% of total).

- 71 girls were in out-of-home placements (20.7% of total).
- 41 girls were identified as having a problem with cocaine (16.5% of total).
- 95 girls received drug referrals (14.6% of total).

Compared with other Bay Area counties, San Francisco arrests the most juveniles, as a percentage of the juvenile population (12.5%; the statewide average is 8.1%).

RELEASE PLANNING

Problem Statement: San Francisco's juvenile justice system lacks a diversity of placement options and program referral alternatives for delinquent girls. Consequently, girls may be inappropriately sent to out-of-state placements/programs, inappropriately institutionalized, or placed in a program inappropriate for their needs, in which case failure is virtually a given. Any girl who manages to turn her life around does it in spite of this system, not because of it. The fact is that for most girls, their inappropriate treatment in the juvenile correctional system only adds to their difficulties. These young women – and perhaps their siblings or children - enter a "revolving door" that brings them back repeatedly to Juvenile Hall, to further inappropriate and unsuccessful placements, perhaps even to jail or prison.

Recommendation: Require the Juvenile Probation Department provide placement and program alternatives in accordance with its obligations under W & I §26, so that no girl is placed out-of-state, institutionalized because an appropriate community program cannot be found, or placed in an inadequate or inappropriate program, where failure appears likely from the outset.

Further, juvenile justice professionals should work with the community to encourage the development of programs sensitive to the particular issues and needs of girls and young women.

- **Counseling Services:** Expand services for girls who are suffering from physical, emotional or sexual abuse, or from exposure to violence. Expand access to alcohol

and drug abuse counselors trained in gender-specific aspects of substance abuse, as many girls drink or get high to escape the abuse and violence in their lives.

- **Mentoring Services:** Girls need the support of new friends/peers and the encouragement of adults/mentors through the difficult process of breaking or renegotiating bonds with people who have been negative influences. Access to a broad network of peer counselors and adult mentors, sensitive to the particular issues and needs of girls, must be made readily available.
- **Education & Vocational Training:** Girls and young women are underserved by educational and vocational training programs, which often operate as if girls are not interested in or capable of going as far as boys. The lack of rigorous education and training available to girls has psychological as well as substantial economic ramifications. Girls need access to substantial educational programs, like the program at the Omega Boys' Club, which additionally will address issues that undermine girls' educational success. Girls also need access to substantial vocational training which will open up possibilities, not narrow them to traditional female occupations.
- **Culturally and Language Appropriate Services:** The girls in and on the edge of San Francisco Juvenile Justice System belong to different many ethnic communities. While many conditions that put girls at risk are shared across these communities, many conditions undermining girls are culture specific. Too often, non-English speaking girls are neglected because there are few counselors available to communicate with them in their own language and in terms of their own cultural expectations and experiences. This neglect is inexcusable, particularly in San Francisco where the human resources to provide culturally and language appropriate care are great. We urge the Juvenile probation Department to take the lead in developing culturally and language appropriate counseling and programming for the youth it supervises.

Problem Statement: Young women 18 to 21 years old suffer especially under current arrangements. They are required or encouraged to leave placements by the age of 18, on the assumption that they are adults by this time. However, many service providers have found that cutting off services to young women at this point is premature. The time between 18 and 21 years marks a crucial transition in the

life of any young person. This is especially true for those young people who are trying during this period to make a new start. Consequently, many service providers offer informal support to young women between 18 and 21. These services are, however, much less extensive than they need to be because they lack both financial support and widespread commitment to assisting young women make a successful transition from a troubled childhood to an independent adulthood.

Recommendation: Increased attention to and financial support for transition services and aftercare services for young women between 18 and 21 years old.

FAMILY MAINTENANCE

Problem Statement: Many girls have been victims of abuse or witnesses of abuse in their own homes. This abuse is often ignored by a parent who has a substance abuse problem or who is also a victim of abuse. Girls living with single mothers are also often expected to care for siblings or other dependents. When the parent is a substance abuser, girls may find themselves the primary caretaker not only of siblings but of that parent as well – a heavy burden. A few girls in the juvenile justice system also have their own children. Finally, girls will often keep quiet about problems at home, feeling that they are responsible for their own abuse as well as responsible for the care of others.

Recommendation: Girls need to be supported in the following ways through the difficult process of renegotiating their rights and responsibilities within their family:

- **Empowerment:** Girls need access to a network of counselors, mentors and peers, available at school and in the neighborhood, individually and in groups, who will support their efforts to speak up on their own behalf.
- **Practical Support:** Girls need access to places where they can call confidentially for assistance if they are abused, witness the abuse of another, have a primary caretaker who is a substance abuser, or are overwhelmed by their family responsibilities.

- **Living Alternatives:** Girls need safe places to go where they can receive care and guidance when they are unable to stay with their families.

HEALTHCARE

Problem Statement: Girls are likely to engage in behavior that puts their health seriously at risk because they lack the information and support necessary to make health-sustaining choices.

Recommendation: Girls need to be educated about their health needs generally and about risks associated with sexual activity and drug use. They need education about where services are available. They need to be empowered to act on their choices.

- **Safe Sex Education and Practices:** Schools, group homes, and institutional facilities should conduct sessions of safe sex education and practices. Any training should emphasize the importance of safe sex practices as they relate to the transmission of the AIDS virus, to other sexually transmitted diseases, and to the possibility of becoming pregnant.
- **Pre-natal Care:** Pregnant girls should have full access to pre-natal care and to parenting programs.
- **Health/Mental Health Services:** Schools, group homes, and institutional facilities should provide printed information on when and where to seek health and mental health services.
- **Substance Abuse:** Substance abuse programs must be sensitive to the issues and life experiences that lead girls to rely on alcohol or drugs. Access to gender-sensitive programs and counselors must be expanded if the serious problem of substance abuse among girls and young women is to be meaningfully addressed.

DATA ON FEMALE JUVENILE DELINQUENCY IN SAN FRANCISCO

Problem Statement: There is a tremendous lack of diverse placement options and program referral alternatives for delinquent girls and young women in San Francisco. There is also an tremendous lack of information on the sources and dimensions of delinquency among these girls and young women. The lack of resources and the lack of substantial information are integrally related. We need to develop both data and resources if the city is going to be able to effectively address the needs of girls in or on the edge of the juvenile justice system.

Recommendation: We encourage the Juvenile Probation Commission to work with the Juvenile Probation Department (1) to develop ways to more thoroughly utilize data already collected, (2) to support collection of post-release and other data not currently collected, including qualitative data, and (3) to aid in making this information accessible to the public.

Probation Department be broken down by gender. We urge as well that data on recidivism already kept be made available to the public. We support the creation of one or more research positions at Juvenile Hall to support the Juvenile Probation Commission in its efforts to collect, analyze and disseminate comprehensive data on the young women and men passing through San Francisco's juvenile justice system.

CONCLUDING COMMENTS

- To reiterate:***
- We need to learn what puts girls in San Francisco at-risk of involvement in the juvenile justice system and what factors affect their ability to get out of the system once in it.
 - We need to extend the network of programs and placements available for girls, including girls navigating the difficult years between 18 and 21. These programs must be gender- and age-specific, not merely add-on's to programs serving male youth.

Additionally:

- We need to increase advocacy at the community, state, and national level for policies and funds supporting programs for girls at-risk for involvement in the juvenile justice system.
- We need to recognize that most of these girls are not mothers. Therefore, planning and discussion must address all the areas in which girls are at-risk, including the substantial risk of economic and educational marginalization, not only or even primarily the problems of pregnant and parenting girls.

Finally:

- It is essential that female offenders be included in the research, advocacy, and program development processes called for above. Only their knowledge and experience can guide us from the 1,001 theories of what might work to the programs that will work.

WOMEN: SHORT TERM SENTENCES WITH LONG TERM EFFECTS

BACKGROUND

Women involved with the criminal justice system on a short term county level are the women who are between the girls on the edge and state prison. Women enter the county jail or local adult detention facility at the age of eighteen. Magically, at age eighteen the girl who may have been neglected as a child and a ward of the court becomes an adult. As an adult she is faced with the laws of adults. Previous status offenders may now find themselves before the court on a vagrancy or blocking the sidewalk charge. Although these are misdemeanor charges and the courts may dismiss initial charges it is certain that repeat offenders will, eventually, find themselves in county jail.

As 1992 statistics indicate the County Jail women's population is 10 1/2 percent of the overall jail population. Several years ago the population was 12% to 13% of combined women and mens' population. Statistics on new commitments to state prison may explain the reduction of population on a county level. Changes in the law within the last ten years reflect a trend to sentence individuals to state prison.

A sentence in the county jail will assure a woman a probation officer and little or no personal decision making powers while incarcerated. Her ties to the community and family on the "outside" will begin to unravel. For women who are mothers the first county jail sentence can be devastating to the continuity of the family structure. The shock of first time incarceration breaks ties to the community that are difficult to re-establish upon release. When released a woman may find her community has changed. She may have been evicted from a stable living environment. A woman's family may not want her to come home. Many significant relationships can be destroyed by incarceration. These relationships and ties to the community may be difficult to re-establish upon release.

SAN FRANCISCO COUNTY PROFILE

In a San Francisco in-custody jail population study, the average age of women was 30; almost half were African American and 60% identified with a minority group. Almost half of the women surveyed were single and 34% lived with a partner or were married.

- ***Children:*** Three quarters of the women had children; 70% of their children were 12 years or younger; 13% were single parents living with their children.
- ***Education:*** Forty-two percent of the women surveyed reported they had not completed high school.
- ***Employment:*** Only one quarter of the women reported being employed full or part time at the time of their arrest but 90% felt they had skills that would be helpful in finding a job and 80% were interested in additional schooling and technical training.
- ***Public Assistance:*** Forty percent of the women surveyed reported their sole means of support as public assistance; 62% had received public assistance sometime in the last two years. Some prisoners were recipients of public assistance as children and continued through adulthood and motherhood.
- ***Substance Abuse:*** Fifty-five percent of the women surveyed reported having used illegal drugs within the month prior to arrest; 32% reported that they are daily drug users. In a sample of women booked at the county jail, one quarter were clients of a substance abuse abuse/drug treatment program in San Francisco.
- ***Medical/Mental Health Care:*** Seventy percent of the women reported having no medical insurance. Twenty-two percent of the women reported at least on psychiatric hospitalization. Twenty-eight percent of a sample of women booked at the county jail were clients of a San Francisco mental health program.
- ***Housing:*** Thirteen percent of the women identified themselves as homeless. Six percent of the women surveyed reported six or more residences in the last year.

DIVERSION OPTIONS

Problem Statement: Women who are required to serve short-term sentences are caught in a situation that often leads to family estrangement and the general disruption of community ties. To avoid alienation and isolation from family and community, it is important that diversion options be developed which support maintaining those connections. While statutes exist for first time offenders to be diverted, it is rarely an option for those women caught in the "revolving door" of non-victim, non-violent criminal activity. One of the principal problems facing these women is childcare and family estrangement.

SOLUTION: Municipal and Superior Court judges and community service agencies should be knowledgeable about diversion alternatives that suit the punishment required by law while maintaining family and community ties.

Recommendation: The courts must focus on all options before sentencing to allow women to remain in their homes with their children. Rather than face immediate incarceration, women could be sentenced to community programs through such mechanisms as home detention, day reporting, and outpatient drug programs.

Develop a list of resources for community service placements for judges and probation officers that provide vocational /educational training and meet the terms of imposed sentences.

Provide an environment for the development of a peer support group for women as they try to maintain ties to family and community.

POST-SENTENCE INTERMEDIATE SANCTIONS

Problem Statement: Women serving short-term sentences should be allowed the maximum opportunity to serve their sentences in an alternative setting. Although, judges have the power to approve or deny sentencing options (e.g. work furlough, Sheriff's Work Alternative Program, home detention, day reporting and residential drug treatment), women are not afforded the same treatment during the sentencing process as are men. Many

criminal justice professionals operate under the assumption that women are not employed or do not want to seek employment and are therefore not considered for work furlough or other alternative placements.

SOLUTION: Since we have established the need for women specific programs for offenders it is,also, necessary to expand the alternatives of traditional incarceration This can be accomplished in two ways: ✓ Superior and Municipal Court judges must be informed of the programs that do exist for women ✓Once informed, the judges could base sentencing on alternatives that exist.

Recommendation: Form a committee of criminal justice professionals who are knowledgeable about women's programs to advise the bench on sentencing alternatives.

Recommendation: The San Francisco Sheriff's Department should create and maintain a working manual of programs to be presented to the judges.

Recommendation : Local detention facilities should create programs that identify and address the specific needs of women. The most commonly used, is an alternative to incarceration which allows the female offender to continue caring for her children while serving her sentence. The Sheriff's Department should consider a child care component in every alternative sentence program offered to prisoners. For example, a work furlough program for women and their children similar to the state funded Elizabeth Fry Center.

Recommendation: The San Francisco Sheriff's Department should create programs for women within the jails that address: parenting, grooming, skill development and substance abuse recovery, perhaps a woman specific therapeutic community within the jail.

RELEASE PLANNING

Problem Statement: The lack of release planning often results in prisoners being returned to the community without access to the resources necessary for a successful transition. Without planning, the prisoner is often returned to the community without the

funds to acquire housing, food and medical care. Returning to the community without resources may force the woman to support herself and her family through illegal activities. The lack of affordable, safe and stable housing further complicates a successful transition. The cycle has not been interrupted; the woman returns to jail.

Recommendation: The time that women spend in jail must be used to assist them in preparing for their release and for their successful transition back into the community. Program planning in the jails should be aimed at preparing women for their release as soon as they are sentenced and must address the woman's needs in terms of housing, childcare, medical care, drug/alcohol treatment, and employment or application for Department of Social Services (DSS) entitlements. Develop release planning programs which would include, but not be limited to:

- Education/Vocational Training in practical life skills which might include workshops on budgeting and money; basic math; personal hygiene; dealing with authority; personal skills evaluation.
- Short-Term Educational/Vocational Training Programs which provide them with marketable skills and guidance on getting job once released from custody.
- Family Status Issues/Education for the Incarcerated Mother through exposure to DSS requirements for parent-child reunification and AFDC qualifications, if possible by the out-stationed DSS representative. DSS might consider standardizing this information by making a video for incarcerated women. A parenting class should be established which presents a certificate upon completion.
- Contact Visits for the Incarcerated Mother must be encouraged by the criminal justice community. The city should encourage these visits by providing subsidized transportation as frequently as possible. A counselor or therapist should be assigned to the mother to help her deal with the visits both during and after the contact in an effort to address the complex emotions created by mandatory separation due to incarceration.
- Resources for Survival Needs Upon Release each woman should utilize the recommended resource manual to develop her personal exit plan which would address solutions to basic survival needs. The recommended out-stationed DSS

worker can begin the re-application process to ensure that there is no gap between release and entitlements.

Recommendation: Assign an in-jail staff person who would be responsible for the development of a release planning program as described above.

Recommendation: Develop a Department of Social Services out-station program in the jail, staffed by DSS personnel able to examine entitlement eligibility prior to release.

Recommendation: Work with DSS, Redevelopment, the Housing Authority and non-profit agencies expert in housing issues to increase the pool of affordable, safe housing for low-income, high-risk women.

Recommendation: District health centers could be used as a model for health care service delivery within the jails which could provide the full spectrum of health services already recommended. These services should include:

- Complete physical, blood work and appropriate testing.
- Provide 14-day health appraisals including screening for pregnancy, STDs, TB, substance abuse and depression.
- Assign a primary health-care provider.
- Provide information on health education and resources both upon entry and release.

Recommendation: Develop a discharge planning unit to ensure continuity of care between the jail and the community. This should include: application for Medi-Cal; community health outreach; information and contact; delineation of services by neighborhood; scheduled healthcare appointments.

Recommendation: Develop a nurse/mid-wife position within the Department of Public Health or at a public health hospital (SFGH) able to assist/coordinate services during and after incarceration.

Recommendation: Use as a template the program components listed here to ensure a comprehensive system of services. An exercise program Education on sexually transmitted diseases Sexuality workshops including: self; teaching kids about sexuality; safer sex practices; lesbian sensitive info.

Routinely offer pap smear examinations to all women upon entry into the jail system.

Provide family planning/birth control information and discussion including: condom usage; parenting classes; related health issues such as well baby, the sick baby; education on drug-exposed children; access to pediatric health care.

- Substance abuse groups.
- Smoking cessation classes.
- Nutritional education including information on: foods and how to eat healthfully while incarcerated.

WOMEN FELONS: Dangerous or Caught in the Trap?

BACKGROUND

The incidence of incarceration among women is rising at an alarming rate. In each year from 1980 to 1989, the percentage increase in the number of women in prison exceeded that of men. By the end of 1989, the number of women in state and federal prisons had reached a record 40,556. (4)

When examining the types of offenses committed by women felons, it becomes evident that the increase in criminal behavior among women is not due to an increase in the number of violent offenses committed by women. In fact, the percentage of women incarcerated due to violent offenses has decreased. In 1986, 41% of the nation's incarcerated women committed a violent offense, down from 49% in 1979. Women felons are typically not dangerous criminals who pose risks to public safety. Like never before, substance abuse is becoming a "major contributing factor to criminal activity," in general, and in particular for women. (California Blue Ribbon Commission on Inmate Population Management, 1990).

Women felons are more likely to report using either heroin or cocaine on a daily basis prior to their arrest and more likely to have been under the influence of drugs at the time they committed their crime. The increase in drug use among women felons resulted in a 307% increase in the number of women arrested for drug-related activity from 1980 to 1989. During this same time period, the increase in arrests for men on similar charges grew only 147%⁴.

While the number of women confined to prisons has increased, surprisingly, the level of services available to women prisoners has remained unchanged. Rehabilitation-oriented services have historically been unavailable to females due to their small numbers relative to the male prison population. (California Blue Ribbon Commission on Inmate Population Management, 1990). However, given the increasing numbers of women entering the prison system, this rationale can no longer be used to justify and exclude women from valuable services that might reduce their likelihood of returning to prison upon release.

⁴ Bureau of Justice Statistics, Women in Prison, March 1991

Women commit crimes for reasons differing from those of men, react differently to incarceration than men and have different needs while in custody. Therefore, approaches to decreasing criminal behavior among women must take these differences into account. Yet, our nation's prison system does not readily acknowledge these differences. Few women's facilities have programs which are tailored to address and systematically reduce the rate of recidivism among women parolees. Incarcerated women do not have equal access to vocational, educational, employment or drug recovery programs. As a result, women parolees may be more likely to remain on the fringes economically upon re-entering the community.

Women felons are caught in a trap that spirals them downward. They lack adequate employment skills upon release making it easy for women parolees to revert back to criminal behavior to support themselves financially.

PROFILE OF INCARCERATED WOMEN

An American Correctional Association study (1987) found that the average female offender is a woman of color (57%) between the ages of 25 and 34 (51%) who has either never been married (37%) or who before incarceration was a single parent living alone with her children (26%). ACA's study also found the following characteristics and life experiences common among female offenders:

- Children:** Nationwide, 70% of the incarcerated women are mothers with dependent children; the majority of these women have legal custody of their children. During the period of incarceration, nearly 50% of the women prisoners reported that their children were being cared for by the child's grandparent or great-grandparent.

- Education:** According to 1986 Survey of Inmates in State Correctional Facilities, 57% of the women had not earned a high school diploma. Sixteen percent of these women had only an eight grade education or less. In the ACA study, women most often reported not finishing high school due to pregnancy.

- Employment:** Seventy-three percent of the women reported having work experience in the fields of sales, services and clerical work. Almost half reported earnings ranging from

\$3.36 to \$6.50 per hour. Sixty-five percent felt qualified to perform either clerical or service-oriented jobs.

•**Housing:** Almost 60% of the women reported living with at least one other adult; 23% were single parents living with their children. Upon release women prisoners reported that they planned to live with either their parents or grandparents.

•**Mental Health:** Twenty-eight percent of the women surveyed reported attempting suicide. Of those attempting suicide, 58% had done so more than one time. The most common reason cited for attempting suicide was depression or the feeling that no one cared (69%).

•**Physical or Sexual Abuse:** Fifty-three percent reported being subjected to physical abuse at some point during their lives. Of those, 79% stated that the abuser was either a parent, intimate or other relative. Thirty-six percent of the women stated that they had been sexually abused, with 62% of those stating that the abuse occurred before that age of 14.

•**Public Assistance:** Sixty percent of the women surveyed had received public assistance.

•**Purpose of Committing Crime:** The most frequent reason cited by female offenders for committing the crime that resulted in their incarceration was to pay for drugs (25%). Another 20% of the women committed their crime due to economic pressures. Six percent of the women stated that they had committed the crime to protect either themselves or their family. An additional 6% of the women stated that they were intoxicated or high on drugs at the time they committed their crime.

•**Substance Abuse:** Approximately one-third of the women reported first using drugs before the age of 14. Fifteen percent of the women reported using either alcohol or drugs on a daily basis. The most commonly used drugs were heroin, cocaine and marijuana.

STATE AND COUNTY STATISTICS

California

California prisons house the largest number of incarcerated women in the United States. Following the national trend, the percentage increase in the number of female felons in California has outpaced that of male felons. From 1970 to 1990, the number of women felons increased from 588 to 5,858 (an increase of 896%). For the same time period the number of men felons increased from 20,460 to 88,264 (an increase of 331%).

The most frequently cited offenses committed by women felons in California were drug law violations. In calendar year 1990, 38.4% of all women felons were incarcerated due to a drug offenses. Thirty-four percent of the women were incarcerated due to property offenses, 24.3% incarcerated due to violent crimes and 3.4% incarcerated due to other offenses. For men felons, the most frequently cited criminal act committed was a violent offense (43%). In 1990, only 24% of California's men felons were incarcerated due to a drug offense.

The percentage of women returned to prison on parole violations is an indicator that a significant number of female inmates are not dangerous criminals. In 1990, out of a total of 6,502 incarcerated women, 3,095 (48%) were imprisoned due to parole violations. In other words, *almost half* of California's incarcerated women were behind bars in 1990 due to parole violations. Not due to new convictions. During 1990, 876 (13.5%) women were returned to prison because they were convicted of committing another crime.

San Francisco

San Francisco, unlike many urban cities in California, has also experienced the marked increase in the number of women committed to state and federal prisons. San Francisco has had one of the highest rates of increases in the number of women with no prior felony convictions committed to prison. These women may have previously committed only misdemeanor offenses and are re-entering the prison system as felons or may have had no previous criminal history and are entering the prison system for the first time on felony convictions.

From 1985 to 1990, the percentage increase in the number of women committed to prison for first time on felony charges in various California counties was as follows:

<u>County</u>	<u>Percentage Increase.</u>
San Mateo	300%
San Diego	176%
San Francisco	164%
Los Angeles	149%
Riverside	95%
Alameda	83%
Orange	74%
Santa Clara	40%

In 1990, 2,589 San Francisco women were arrested on felony charges (13.2% of all adult felony arrests). In keeping with the increased pattern of drug involvement among women felons, almost a third of these women were arrested for drug law violations. A quarter of the women were arrested due to property offenses and 12% of the women were arrested because they had committed a violent offense. The remaining 30% were arrested for other criminal activities.

RELEASE PLANNING

Problem Statement: Women felons are not provided with adequate pre-release planning programs which prepare them for life in their community. As a result, women return to their communities unprepared to access employment and other needed community services. If these women are unable to effectively cope with the stress and pressure of life outside prison, they may continue to engage in criminal behavior upon release from prison.

Recommendation: Provide comprehensive re-entry services for women prior to release. Develop release planning programs that emphasize, but are not limited to the following components:

- **Employment/Vocational Training:** Women felons need employment and vocational training in occupations that can lead to gainful and self-sufficient employment. All training should include information sessions on developing marketable skills and how to seek, obtain and maintain employment. Without marketable, job-ready skills upon release from prison, women felons will be unable to support themselves.

- **Life Skills:** Life skills workshops might include the following: budgeting and money management, personal hygiene and personal skills assessment. Women felons are highly susceptible to low-esteem and a negative self-image of themselves. The release planning program should incorporate self-esteem building and coping skills. Women felons must possess a feeling of empowerment if they are to successfully put their criminal history behind them.
- **Community Services:** Women felons should be given a resource guide outlining various services that are available in the community. The guide should include, but is not limited to, information on Department of Social Services programs, Department of Public Health programs, community substance abuse, housing, and community mental health clinics.
- **Education Services:** Women felons should have access to basic educational programs in addition to programs which enable incarcerated women to earn Associate of Arts and/or Bachelors of Arts degrees. Female inmates should have access to tutors whenever appropriate. Women should be connected to educational programs in the community before they are released to assist parolees in continuing their education outside prison.

FAMILY MAINTENANCE

Problem Statement: Women felons are more likely than men felons to be parents. Maternal/child bonds can be severely jeopardized when the mother is incarcerated. Children of incarcerated women may develop anger and hostility towards their mothers. Incarcerated mothers in turn may harbor resentment towards children who are not truly comfortable being around them. As a result, incarcerated mothers may develop a sense of failure in their parenting ability.

Recommendation: In order to maintain and reinforce the relationship between incarcerated mothers and their children and increase the probability of a successful reunification, the following services should be offered:

- **Visitations:** To solidify a close and caring relationship between incarcerated mothers and their children, frequent visits between the two should be encouraged. Because such visits can generate anxiety for both the mother and the child, visiting sessions should be monitored by a counselor or therapist. The counselor/therapist can help both the mother and the child deal with their initial feelings of awkwardness, rejection and fear.
- **Parenting Skills:** Because incarcerated mothers have limited access to their children, they may be unable to develop appropriate parenting skills. These women will require training in how to effectively deal with the daily pressures of rearing children if they are to successfully reunify with their children upon release from prison.

HEALTHCARE

Problem Statement: There is no routine health care available for women felons. Gynecological care is particularly lacking for incarcerated women. Health care services are limited to crisis care; prevention and intervention services are unavailable.

Recommendation: Provide comprehensive health care services to incarcerated women. The programs should stress health education and prevention. Health care education should discuss such topics as exercise, nutrition, smoking cessation and weight control. Routine health care services should include, but are not limited to:

- **Medical Evaluations/Examinations:** Upon entering prison and prior to discharge, each woman should be given a complete medical evaluation/examination. This is particularly important upon release. If an evaluation reveals that a patient may need additional medical assistance upon release, then a health evaluator can provide the woman with information on community health services.
- **Safe Sex Education and Practices:** Facilities should conduct sessions on safe sex education and practices. Any training should emphasize the importance of safe sex practices as they relate to the transmission of the AIDS virus. Such discussions should also focus on the symptoms commonly associated with women who are HIV-infected.

- **Pre-natal Care:** Incarcerated women who are pregnant require regularly scheduled pre-natal examinations. This increases the probability that the infant will be born healthy.
- **Mental Health Services:** Incarcerated women should have access to mental health services. Incarcerated women may suffer from depression and may experience feelings of isolation. Without professional support services to overcome and deal with these feelings, incarcerated women may have a difficult time coping in prison and outside in the community upon release.

SUBSTANCE ABUSE

Problem Statement: Women felons are more likely than men felons to engage in drug law violations, to have committed a crime to support their drug dependency and to be under the influence of drugs or alcohol at the time that they committed their crime. Incarcerated women are more likely than men to be poly-substance abusers (i.e., addicted to both alcohol and drugs). Presently, drug treatment and recovery programs are not readily available to women in prison.

Recommendation: Expand the number of drug recovery programs available to incarcerated women. In general, there is an insufficient number of Alcoholic Anonymous and Narcotics Anonymous classes offered to incarcerated women. In addition to offering recovery programs, prison facilities should provide substance abuse education to incarcerated women. Substance abuse support groups should be instituted assist women felons overcome their drug addictions.

BIBLIOGRAPHY

Annual Report, Juvenile Probation Department, San Francisco, 1990.

California Criminal Justice Profile, Bureau of Criminal Statistics, California Department of Justice, 1990.

Programming for Young Women in the Juvenile Justice System, Center for the Study of Youth Policy, University of Michigan, 1991.

Satterwhite, Pam. "Proposal for On-Going Program Data Collection," Report to the Juvenile Probation Commission Program Committee, January, 1992.

American Correctional Association. 1990. The Female Offender: What Does the Future Hold? Washington, D.C~ St. Mary's Press.

California Blue Ribbon Commission on Inmate Population Management. 1990. Blue Ribbon Commission on Inmate Population Management, Sacramento, CA.

U. S. Department of Justice, Office of Justice Programs. 1991. Correctional Populations in the United States, 1988. Washington, D.C.: U. S. Government Printing Office.

Additional Sources

Barry, Ellen. 1987. Imprisoned Mothers Face Extra Hardships. The National Prisoner Project Journal, 14: 1-4.

Brozvn, Scott, Julie Johnson ~ Naushad S. Mehta. 1990. The View from Behind Bars. Time, Special Issue, 136: 20-22.

Leonard, Eileen B. 1983. "Judicial Decisions and Prison Reform: The Impact of Litigation of Women Prisoners." Social Problems 31:1.

Moss, Seetta R. 1986. "Women in Prison: A Case of Pervasive Neglect." In The Dilemma's of Feminist Therapist The Haworth Press, Inc.

U.S. Department of Justice, National Institute of Justice. 1983. The Correctional Crisis Prison Populations and Public Policy. Washington, D.C.: U.S. Government Printing Office.

American Correctional Association. 1990. The Female Offender: What Does the Future Hold? Washington , D.C.: St. Mary's Press.

Crow, Ruth and Ginny M;Carthy . 1979. Women in the Juvenile Justice System Changing Values. Tucson, Arizona: New Directions for Young Women, Inc.

U.S. Department of Justice, Federal Bureau of Investigation. 1990. Crime in the United States: Uniform Crime Reports 1989. Washington, D.C.: U.S. Department of Justice.

U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. 1990. Sourcebook of Criminal Justice Statistics -1989. Washington, D.C.: U.S. Department of Justice.

U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. 1990. Juvenile Court Statistics - 1987. Washington, D.C.: U.S. Department of Justice.

American Correctional Association, Female Classification: An Examination of the Issues (September 1984).

Juvenile Justice Commission of San Francisco County, Report on Conditions in Juvenile Hall (May 1989).

Krisberg, Barry, et al. May 1986. The Incarceration of Minority Youth. University of Minnesota: Hubert H. Humphrey Institute of Public Affairs.

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